

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEMETRIUS BROWN,)	
Plaintiff,)	
)	
)	
v.)	C.A. No. 04-379 Erie
)	
UNITED STATES JUSTICE DEPT.)	
<u>Defendant.</u>)	

**MOTION FOR MANDATE/ENFORCING ORDER DIRECTING
INMATE ACCOUNT OFFICER TO PAY INITIAL PARTIAL
FILING FEE OF LAWSUIT AND THE REMAINING
PORTION OF THE FEE IN INSTALLMENTS**

COMES NOW, DEMETRIUS BROWN, herein as Plaintiff, hereby moves this Honorable Court, the United States District Court for the Western District of Pennsylvania, for Mandate/Enforcing Order directing Inmate Account Officer to pay initial partial filing fee of lawsuit and the remaining partial filing fee in installments pursuant to 28 U.S.C. §1915(b).

In support, Plaintiff states that on March 15, 2005, this Court granted by order leave for Plaintiff to proceed in forma pauperis. That, Plaintiff was notified that within 20 days of the notice, it was necessary to sign the authorization and send to the Clerk for 1) authorizing the inmate account officer to withdraw from account the initial partial filing fee and 2) authorizing the inmate account officer to make the remaining installment payments.

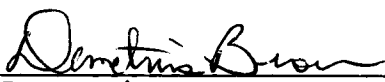
In this regard, I have authorized payment to proceed with the lawsuit on March 20, 2005 by signing and returning to the Clerk of Court authorization of the custodian of my inmate account to withdraw from my account and pay to the Clerk the initial partial filing fee of \$19.36, and to make monthly payments of twenty percent (20%) from my account. See **Exhibit A**. That, funding has been placed in my account, an amount sufficient for payment of the initial filing fee, but that there has been no such collection by the custodian as of yet.

For this reason, and because Plaintiff has met all of the requirements insisted by the Court for obtaining in forma pauperis status, I request the Court at once to issue Mandate/Enforce Order directing inmate account officer to pay initial partial filing fee of lawsuit and the remaining portion of the fee in installments.

WHEREFORE, I, DEMETRIUS BROWN, hereby affirm and declare under penalty of perjury, 28 U.S.C. §1746, that the foregoing is true and correct.

JUN 28 2005

Dated


 Demetrius Brown
 Reg. No. 21534-039
 FCI RayBrook
 P.O. Box 9001
 RayBrook, NY. 12977

BEFORE ME, a Notary Public, on this day personally appeared known to be the person whose name is subscribed above and, being by me first duly sworn, declared that the information above is true and correct. Given under my hand and seal of office this 28th day of June, 2005. Notary Public Donald L. Dumas. My commission expires _____.

DONALD L. DUMAS
 Notary Public, State of New York
 No. 01DU6083407
 Qualified in Franklin County
 My Commission Expires November 12, 2006

EXHIBIT A

AUTHORIZATION

I, Demetrius Brown, hereby authorize the custodian of my inmate account to withdraw from my account and pay to the Clerk, United States District Court for the Western District of Pennsylvania, the initial partial filing fee of \$ 19.36, and to make monthly payments of twenty percent (20%) of the preceding month's income credited to my account and to forward payments from my account, each time the amount in my account exceeds \$10.00, to Clerk, United States District Court, until the entire filing fee of \$150.00 for Civil Action No. 04-379 Erie has been paid.

Demetrius Brown
PLAINTIFF

3/20/05
DATE

WITHDRAWAL OF ACTION

I, Demetrus Brown, hereby Move to Withdraw this action.

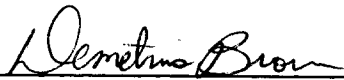
PLAINTIFF

DATE

CERTIFICATE OF SERVICE

I, DEMETRIUS BROWN, hereby certify that the foregoing documents bearing sufficient postage was hand delivered to prison officials for inspection of contraband and deposit into internal mail system on the 28th day of June, 2005 and addressed by mail to:

Clerk of Court
UNITED STATES DISTRICT COURT
for the Western District of Pennsylvania
17 South Park Row, Room A280
Erie, PA. 16501


Demetrius Brown
Reg. No. 21534-039
FCI RayBrook
P.O. Box 9001
RayBrook, NY. 12977